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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,833	02/09/2001	Arne Anspur	811002/JAS/WEB	8441
7590	01/27/2006		EXAMINER	
James A. Sheridan Moser, Patterson & Sheridan, L.L.P. 595 Shrewsbury Ave. Suite 100 Shrewsbury, NJ 07702			GURSHMAN, GRIGORY	
			ART UNIT	PAPER NUMBER
			2132	
DATE MAILED: 01/27/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/780,833	ANSPER ET AL.
	Examiner	Art Unit
	Grigory Gurshman	2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 January 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-6, 17 and 18 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-6, 17 and 18 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's amendment of the independent claims 1 and 5 reflect the limitation "message digest". This limitation is addressed in the rejections herein.
2. New claims 17 and 18 are addressed in the rejections herein
3. Applicant traverses the rejection of claims 1-6 as being anticipated by Moses, based on the technical differences between the Applicant's invention and Moses. Examiner points out that none of the alleged differences are reflected in the claims. Furthermore, all of the claims limitations are met by Moses. For example:

Moses discloses a subscriber digitally signs a document and sends it to a relying party along with the public key certificate (Moses: column 5, lines 32-35). This meets the limitation of "a first computer having a certificate and a signed message; a second computer configured to received the certificate and the signed message." The request is then send to the notary (Moses: column 5, lines 35-37). The notary system receives a request to notarize initial transaction evidence data that is in the sent request signal (Moses: column 4, lines 43-45). This meets the limitation of "the third computer configured to received the certificate and the signed message from the second computer for a validation request, to validate the certificate. The notary system then produces a signed electronic notary token attesting to the validity of the signature.

4. Applicant is encouraged to further amend the claims in order to patentably distinguish the claimed invention from the art of record.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,314,517 B1 to Moses et al.

3. In regards, to claims 1 and 5, Moses discloses a subscriber digitally signs a document and sends it to a relying party along with the public key certificate (Moses: column 5, lines 32-35). This meets the limitation of “a first computer having a certificate and a signed message; a second computer configured to received the certificate and the signed message.” The request is then send to the notary (Moses: column 5, lines 35-37). The notary system receives a request to notarize initial transaction evidence data that is in the sent request signal (Moses: column 4, lines 43-45). This meets the limitation of “the third computer configured to received the certificate and the signed message from the second computer for a validation request, to validate the certificate. The notary system then produces a signed electronic notary token attesting to the validity of the signature. This meets the limitation of “to generate a certificate validation statement in response thereto, and to provide an acknowledgement and a public key to the second computer.” The notary system then produces a signed electronic notary

token attesting to the validity of the signature (Moses: column 4, lines 53-55). This meets the limitation of "and a second proof portion having a signed digest having the confirmation as part of a set of confirmations." The notary token includes the initial transaction evidence data along with CRL and ARL analysis data, notary digital signature, and a notary certificate with an expiry period, and the time stamp of notarization (Moses: column 5, lines 27-30). This meets the limitation of "the acknowledgement comprising in part the certificate validation statement, the signed message, a first proof portion having a confirmation associated with the certificate validation statement and the signed message in combination."

4. Referring to the limitation "plurality of signed messages forming a digest", Moses teaches digitally signing the documents thereby creating a digest.
5. In regards to claim 2, Moses discloses the relying party meets the limitations of "a fourth computer configured to receive the certificate, the signed message, the acknowledgement, and the public key."
6. In regards to claims 3, Moses discloses the certification authority signs a public key certificate for the first computer (Moses: figure 1; column 3, lines 65-66)
7. In regards to claim 4, Moses discloses the notary system has its notary certificate issued by the CA, which is included as part of the notary token (Moses: column 4, lines 40-42).
8. In regards to claim 6, Moses discloses a certificate authority (Moses: figure 1; column 4, lines 40-42).

9. Referring to claim 17, Moses teaches authentication tree because he teaches the use of CRLc.

10. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (571)272-3803. The examiner can normally be reached on 9 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571)272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Grigory Gurshman  
Examiner  
Art Unit 2132

GG

*Gilberto Barron Jr.*  
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